

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/791,270 Confirmation No. : 8940  
First Named Inventor : Masaaki NOMURA  
Filed : March 3, 2004  
TC/A.U. : 1618  
Examiner : Hasan Sayed AHMED  
  
Docket No. : 100598.53322US  
Customer No. : 23911  
  
Title : Pharmaceutical Hard Capsule Containing Inorganic Substance

Response to Restriction Requirement

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed June 23, 2008, Applicants elect species II (b) - penem antibiotic species of Claim 17 - for further prosecution in this matter. Claims 1-14 and 16-23 are believed to read on the elected species. An early action on the merits of all the claims is earnestly solicited.

**An extension of the deadline for response to the Office Action is respectfully requested pursuant to 37 C.F.R. § 1.136(a) and the appropriate fee is submitted herewith.** Please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket # 100598.53322US).

**August 12, 2008**  
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Respectfully submitted,

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